

**United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jerry L. Benton, Jr. Case Number: 5:03-CR-00331-003
Name of Sentencing Judicial Officer: Honorable Frederick J. Scullin, Jr., Senior U.S. District Judge
Date of Original Sentence: July 5, 2005
Violation: February 9, 2006
Original Offense: Possession With Intent to Distribute Cocaine, 21 U.S.C. § 841 (a)(1)
Violation: Illegal Drug Use
Original Sentence: 18 months imprisonment, 3 years supervised release
Violation: 3 months imprisonment, 33 months supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: 5/5/06
Asst. U.S. Attorney: John Duncan Defense Attorney: Lisa Peebles, AFPD

PETITIONING THE COURT

☒ **To issue a warrant**
☐ **To issue a summons**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 Special Condition #1: You shall reside for a period of 6 months in a community corrections center and shall observe the rules of that facility.
On May 10, 2006 Benton was unaccountable for about 30 minutes and he went to an unauthorized place. The offender was observed by a staff member leaving an authorized location and driving towards an area he did not have authorization to go. Benton left the authorized location and instead of returning to the Syracuse Pavilion, he went to a store to allegedly buy batteries. It took the offender approximately 30 minutes to return to the facility.
- On May 15, 2006, Benton was charged with engaging in conduct to disrupt the operation of the Syracuse Pavilion and refusing to obey an order issued by a staff member. At approximately 10:25 pm, a staff member was attempting to address several residents on the 15 minute phone limit, when Benton interfered with the instructions by becoming verbally disrespectful and challenging to the staff member in the presence of other residents.
- On May 29, 2006, Benton was charged with insolence towards a staff member. While in the dinning room at the Syracuse Pavilion at approximately 4:48 pm, the offender became upset about telephone rules and became argumentative and challenging with the staff. This information is based on reports from the Syracuse Pavilion. (Grade C Violation)

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U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

PAUL W. DeFELICE
 Chief U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 31, 2006

Approved by:

by:

LORI ALBRIGHT
 Supervising U.S. Probation Officer


 MARK WALKER
 Senior U.S. Probation Officer

THE COURT ORDERS

- ☒ No Action
☒ The Issuance of a Summons
☐ Other
☐ **The Issuance of a Warrant.** This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone **EXCEPT** that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.


 Signature of Judicial Officer

Date

6/2/06